

September 1, 2015

7:00 p.m.

Planning Department
Council Chambers

MEMBERS PRESENT: Commissioners James Wyatt, Joanne Denney, George Swaney, Donna Cosgrove, Margaret Wimborne, Brent Dixon.

MEMBERS ABSENT: George Morrison, Natalie Black, Darren Josephson

ALSO PRESENT: Planning Director, Brad Cramer; Assistant Planning Director, Kerry Beutler; and interested citizens.

CALL TO ORDER: Vice Chairman Wyatt called the meeting to order at 7:00 p.m. and reviewed the public hearing procedure.

CHANGE TO AGENDA: Wyatt stated there are changes and modifications to the agenda. Wyatt stated that the application for item #1 on Public Hearings – Annexation with Initial Zoning of MS: Lot 1, Block 2, Brookhaven Subdivision has been pulled and that will not be heard. Wyatt stated that application was tabled at the last meeting (August 4, 2015) and can only be tabled one time, so now it will have to go back through if they want to redo the application, as such item #1 has been withdrawn. Cramer stated that the Castle Rock Division 3 final plat and annexation was withdrawn and notices were sent out. Cramer stated that the Intermountain Racing application was withdrawn late last week and they will be looking at a different site on Sandy Downs, so they will revise the plans and resubmit and that will be re-advertised. Cramer stated that the Brookhaven Subdivision was withdrawn at 3:00 p.m. September 1, 2015, and so there was not enough time to get notices out.

Minutes: Wimborne moved to approve the minutes of August 4, 2015, Denney seconded the motion and it passed.

Public Hearings:

All Hearings on the Agenda were withdrawn.

Business:

1. Final Plat: Avalon Village, Division No. 1: Cramer presented the staff report, a part of the record. Swaney stated that in the staff report it states the entrance to Holmes is to include right and left hand turn lanes. Swaney asked if that is shown on the final plat that is submitted. Cramer stated it is not on the plat, and will be built in as a special condition in the Development Agreement that those have to be striped and it will be more likely to show up on the improvement drawings when those are submitted. Wimborne asked and Cramer clarified that there is sufficient width and right of way for the turn lanes. Cosgrove asked about lots for single family attached homes. Cosgrove asked and Cramer confirmed in R-1 if unit has to have its own 6,000 sq. ft. lot. Cosgrove clarified that if it was a tri-plex there would still be the 6,000 sq. ft. lots. Cosgrove stated that the smallest lots shown on this Plat are 10-11,000 sq. ft., so they are

well within the specifications for R-1 and still able to have single family attached. Cramer stated that if it was their desire to have single family attached there is adequate square footage. Cramer added that each unit has to be on its own individual lot and so if there was a desire to shrink the lots in order to accommodate that, it would have to be re-platted and it would require a conditional use process to do attached housing. Cosgrove asked if there were to be single family attached, as platted, each one would have a 10,000 sq. ft. lot and there would be a shared wall on the property line (platted lot line). Wimborne asked what the density in the area is. Cramer stated it is 2.9 net density and the gross density is 2.07.

Applicant:

Kurt Roland, Eagle Rock Engineering, 1331 Fremont, Idaho Falls, Idaho. Roland clarified that there will not be any attached housing in this development. Roland stated this Final Plat complies with all the ordinances and it will be a nice development.

Wyatt stated that this has been the topic of discussion many times and his opinion is that it should move forward.

Dixon moved to recommend to the Mayor and City Council approval of the final plat: Avalon Village, Division No. 1, as presented, including the two provisions on the staff report: That the landscape lots adjacent to arterial roads include berms, trees, and an opaque fence, similar to what has been constructed adjacent to the Sunterra Development; and, the entrance to Holmes Avenue include right and left hand turn lanes. Cosgrove seconded the motion and it passed unanimously.

2. Final Plat: Carlyle-Erma, Division No. 3: Beutler presented the staff report, a part of the record. Dixon asked if the canal on the north edge of the property will continue to be in use or will it be abandoned. Beutler stated that the applicant can address the canal issues. Beutler stated that it will continue to be there as a natural drainage as there are no plans with this development and plat to alter the actual canal.

Applicant:

Fred Walland, 645 Lincoln, Idaho Falls, Idaho. Walland stated that the canal that Commissioner Dixon referred to is Crow Creek that flowed through the City in the past. Walland stated he had talked to Public Works about it and there is an existing pipe under Woodruff that is mostly filled in with silt. Walland stated he spoke with the canal company and they do not have any use for the canal. Walland stated that Crow Creek was rerouted and it now flows along Lincoln road and then turns straight south and dumps into another canal. Walland stated that he has researched it and cannot find a use for the canal on the property. Walland did the improvement drawings and construction when Lincoln Road was improved and Walland put in a 3' diameter pipe under Lincoln Road to replace an old box culvert that drains in Crow Creek. Walland stated that the canal could function as a flood channel (100 year rain fall event). Walland stated the area being platted is not touching the canal. Walland stated in the future he would like a more definitive answer as to what the City would like to do with the canal. Dixon asked if there is a canal company that owns the canal as the edge of the platted lot appears to go right down the center of the canal. Walland stated he contacted the canal company that services that area and they advised him that the realigned Crow Creek is the last of their service and they

do not do anything to the west of that area. Walland represents the owner of the surrounding property and what is being platted has been sold to a new owner. Walland stated that the view on the plat is misleading as the plat follows the top of the bank with the property line. Cosgrove asked if there are typically easements on both sides of a canal for access. Walland stated it really is not a canal any more, and he contacted the canal company to determine if they wanted something then he would comply, but the canal company said that area is no longer in their jurisdiction and as far as they are concerned they will never have use for that as a canal. Dixon asked about the easement in the County plat north of the area, does the canal company own that easement or is it owned by the underlying property owner. Walland stated he did not ask that question to the canal company. Dixon asked staff if they could follow up and get something on the file that documents the canal company's lack of interest. Beutler stated that the City Surveyor will research those items and he has not indicated that there is any concern or issue with needing multiple signatures on the plat. Beutler stated he spoke with the City Engineer on a different portion of Crow Creek and there were no easements there, it was just a natural ditch that had been around for such a long time and the City Engineer indicated it was up to the City to determine if they needed it or wanted it. Cosgrove suggested discussing it with the City Attorney to make sure there is not a future problem. Beutler stated that he will follow up with the City Surveyor and City Attorney to make sure there are no issues or concerns prior to the action going forward to City Council.

Wimborne moved to recommend to the Mayor and City Council approval of the final plat: Carlyle-Erma, Division No. 3, with a recommendation that the Staff consult with the City Surveyor and City Attorney about the issue on the canal, Cosgrove seconded the motion and it passed unanimously.

3. Reasoned Statement of Relevant Criteria and Standards: Revised Preliminary Plat for Yorkside Subdivision 2 and 3. Dixon stated that he was not present at the meeting on August 18, 2015 and no minutes are yet available for that meeting, so he will abstain from voting on this item. Wimborne stated she will abstain from voting for the same reason as Commissioner Dixon.

Cosgrove moved to approve the Reasoned Statement of Relevant Criteria and Standards: Revised Preliminary Plat for Yorkside Subdivision 2 and 3 as presented, Denney seconded the motion and the motion passed (3 votes). Dixon and Wimborne abstained from voting.

Miscellaneous: None.

Wyatt adjourned the meeting.

Respectfully Submitted,

Beckie Thompson, Recorder